

### REMARKS/ARGUMENTS

Claims 1, 3-12 and 14-26 are pending. Claims 2 and 13 have been cancelled.

Applicant is open to making any reasonable change in the title suggested by the Examiner.

The objection to the specification and rejection of Claim 8 have been overcome by the amendment to Claim 8.

Claims 1-6, 9-18 and 20-26 stand rejected under 35 USC 102(e) as being anticipated by Donahue (US 2003/0123465).

This rejection has been overcome by amendment of Claims 1.

MPEP § 2131 provides: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Amended Claim 1 now recites a method of controlling packet data traffic between a wireless network and a wireless device on a primary link, the method comprising: determining if a primary packet data protocol link request message has been received from a wireless device that includes a traffic flow template information element; setting primary link traffic flow template filter parameters at a packet control module according to the received traffic flow template information element; comparing incoming packet data against the primary link filter parameters at the packet control module; and controlling packet data traffic to the wireless device over the primary link based on comparing incoming packet data against the primary link traffic flow template filter parameters.

Applicant's invention, as recited in Amended Claim 1, has several advantages over the cited art and is particularly adapted to allowing a wireless device user set the filtering desired. Donahue does not disclose or suggest the recited multi-step method in Claim 1.

Applicant respectfully submits that Donahue does not anticipate, either expressly or inherently, each and every element as set forth in the independent claim. Specifically, independent claims require a multi-step method of determining, setting, comparing and controlling, which is not anticipated either expressly or inherently, in Donahue. Accordingly, Applicant respectfully submits that this rejection has been overcome.

Applicant's independent Claims 12 has been amended in a manner similar to that recited in Amended Claim 1, and thus is deemed novel over and nonobvious from Donahue and the other references of record.

Applicants dependent claims depend on the independent claims, and include further recitations in combination with the independent claims, which are deemed not disclosed or suggested by Donahue. Accordingly, Applicant respectfully submits all the pending claims are allowable over Donahue and the other references of record. For these reasons, Applicant submits this rejection has been overcome.

Claim 8 stands rejected under 35 USC 103(a) as being unpatentable over Donahue in view of Anderson (US 7,171,230).

This rejection has been overcome by the amendment of independent Claim 1. Applicant's earlier arguments distinguishing over Donahue are hereby incorporated herein

The Examiner contends that Donahue discloses a method of controlling packet data traffic where the network gateway comprises a gateway/IP device, as shown in Fig. 2. However, the Examiner has admitted that Donahue does not specify the gateway used as a gateway GPRS support node. The Examiner cites Anderson for disclosing the usage of a gateway GPRS support node. Thus, he concludes that it would be obvious to use the gateway GPRS support node within the network gateway. The motivation for employing the gateway GPRS support node within the filtering system of Donahue being that it will support IP packet transmission to wireless devices such as GSM mobile phones.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the

reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). When the motivation to combine the teachings of the references is not immediately apparent, it is the duty of the examiner to explain why the combination of the teachings is proper. *Ex parte Skinner*, 2 USPQ2d 1788 (Bd. Pat. App. & Inter. 1986).

The Examiner's hypothetical combination is respectfully deemed to be improper and there is no motivation to combine. Even if combined, such combination fails to disclose or suggest Applicants invention in Claim 8. Thus, Applicant's Claim 8 recites a feature which in combination with the independent claim is not disclosed or suggested by Donahue and Anderson, either taken alone or in combination. Applicant respectfully submits that this rejection has been overcome.

Claims 7 and 19 stand rejected under 35 USC 103(a) as being unpatentable over Donahue in view of O'Neill (US 2003/0098622).

This rejection has been overcome by the amendment of independent Claims 1 and 12. Accordingly, the hypothetical combination fails to disclose or suggest Applicants invention, as set forth in the independent claims and in Claims 7 and 19. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117.

Respectfully submitted,

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